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WILLIAM BLACKMAN*

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JAPAN

06 August 2008

ATTENTION: Yoshihiro Chiba – Patent Attorney

RE: HONDA MOTOR CO., LTD.
U.S. Patent Application 10/537,180
U.S. National Phase of International Patent Application PCT/JP03/015598
Based on Sunahara et al. Japan Patent Applications 2002-354864, 2003-107717, 2003-158973, 2003-158978, 2003-158882, 2003-172178, and 2003-270287
“Method Of Manufacturing Cylindrical Body, Friction Stir Welding Method,
And Friction Stir Welding Device”
Our Ref. CSP-116-A; Your Ref. 03P148HE-USPO/ss

Dear Chiba-san:

We enclose, by facsimile, a copy of a Restriction Requirement office action of today's date, 06 August 2008. Enclosed, with the original of this letter by first class mail, are duplicate copies of the Restriction Requirement, and our debit note for same.

Please provide us with any comments you might have concerning the Restriction Requirement as soon as possible, in advance of the 06 September 2008 due date. We will provide you with any detailed comments we might have within the next week.

Please let us know promptly if your client contemplates any improvement, modification, change, new feature, or new embodiment of the invention. We require this information in order to make sure that all aspects of the inventive concept are fully protected.

Sincerely,

Joseph P. Carrier

JPC/pmp
enclosure by fax
enclosure by mail

**** Copies of the references cited by the Examiner enclosed by airmail.**



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/537,180	12/30/2005	Shunsuke Sunahara	CSP-116-A	8016

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CARRIER, BLACKMAN &
ASSOCIATES

EXAMINER

MEHTA, MEGHA S

ART UNIT	PAPER NUMBER
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1793

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The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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cbalaw@ameritech.net
wblackman@ameritech.net

Office Action Summary

Application No.

10/537,180

Applicant(s)

SUNAHARA ET AL.

Examiner

MEGHA MEHTA

Art Unit

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- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☐ Claim(s) ____ is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☒ Claim(s) 1-31 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

Notice of References Cited

Application/Control No.

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Applicant(s)/Patent Under
Reexamination
SUNAHARA ET AL.

Examiner

MEGHA MEHTA

Art Unit

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U.S. PATENT DOCUMENTS

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*	A	US-4,949,895 A	08-1990	Sugiyama et al.	228/175
*	B	US-6,328,261 B1	12-2001	Wollaston et al.	244/132
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	D	US-			
	E	US-			
	F	US-			
	G	US-			
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	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

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*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
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Art Unit: 1793

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Megha Mehta/
Examiner, Art Unit 1793

/Jessica L. Ward/
Supervisory Patent Examiner, Art Unit 1793

Art Unit: 1793

206951 with the friction stir welding process of Sugiyama because of the well known strength advantages as taught by US 6,328,261 Wollaston et al. in column 7, lines 55-60.

3. A telephone call was made to Joseph Carrier on July 11, 2008, to request an oral election to the above restriction requirement, but did not result in an election being made.

Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement may be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To preserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

4. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MEGHA MEHTA whose telephone number is (571)270-3598. The examiner can normally be reached on Monday to Friday 7:30 am to 5:00 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jessica Ward can be reached on 571-272-1223. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

DETAILED ACTION

Election/Restrictions

1. Restriction is required under 35 U.S.C. 121 and 372.

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1.

In accordance with 37 CFR 1.499, applicant is required, in reply to this action, to elect a single invention to which the claims must be restricted.

Group I, claim(s) 1-9, drawn to a method of making a hollow cylindrical body.

Group II, claim(s) 16-31, drawn to the apparatus used to make a cylinder.

2. The inventions listed as Groups I - II do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: The inventions share the following special technical features:

Groups I and II: a hollow cylindrical body made by bringing end faces of a plate material with fingers into abutment against each other, and friction stir welding the ends together. JP 09-206951 (cited in IDS) teaches the formation of a cylinder by bringing end faces together, where there are protrusions in the form of notches on the plate. This is shown in the abstract and in figure 1. JP 09-206951 teaches this with resistance welding, not friction welding. However, US 4,949,895 Sugiyama et al teaches that both resistance welding and friction welding are suitable forms of creating the same weld in column 4, lines 52-58. It would have been obvious to one of ordinary skill in the art at the time of the invention to replace the resistance welding in JP 09-

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CARRIER, BLACKMAN &
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